

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR FORMING CAPACITOR

Case No. 09792909-0307 (P00,0253), the specification of which

(check X one) is attached hereto
 was filed on April 7, 2000, as
 Application Serial No. 09/545,549
 and was amended on _____
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent Office all information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations. 1.56¹

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior of this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and I believe that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as identified below:

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below:

Prior Foreign Application(s)	Number	Country	Date
P11-102048		Japan	April 9, 1999

and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the above listed application on which priority is claimed:

Prior Foreign Application(s)	Number	Country	Date

¹ (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the application takes in:
 - (i) opposing an argument of unpatentability relied on by the Office, or
 - (ii) asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden of proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:
 Prior Foreign Application(s)

Number	Country	Date
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And I hereby appoint the following members of the law firm of Sonnenschine, Nath & Rosenthal:

David R. Metzger (Reg. No. 32,919), Howard B. Rockman (Reg. No. 22,190), Joseph A. Mahoney (Reg. No. 38,956), Jordan A. Sigale, (Reg. No. 39,028), Michael A. Molano (Reg. No. 39,777), Michael L. Kiklis (Reg. No. 38,939), Janelle D. Strode (Reg. No. 34,738), Kevin W. Guynn (Reg. No. 29,972), Jennifer Hammond (Reg. No. 41,814), Lana Knedlik (Reg. No. 42,748), John F. Griffith (Reg. No. 44,137), Marina Saito (Reg. No. 42,121), Alison P. Schwartz (Reg. No. 43,863), Christopher P. Rauch (Reg. No. 45,034), Francisco Rubio-Campos (Reg. No. 45,358), Brian J. Gill (Reg. No. 46,727) and Shashank S. Upadbye, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

David R. Metzger
 SONNENSCHEIN NATH & ROSENTHAL
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 Telephone 312/876-8000
 Facsimile 312/876-3974

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor TOMOYUKI HIRANO

Inventor's signature	<u>Tomoyuki Hirano</u>	Date	<u>August 24, 2000</u>
Residence	<u>Kanagawa, Japan</u>		
Citizenship	<u>Japan</u>		
Post Office Address	<u>c/o Sony Corporation, 7-35, Kitashinagawa 6-chome</u>		
	<u>Shinagawa-ku, Tokyo 141, Japan</u>		

Full name of second inventor HAYATO IWAMOTO

Inventor's signature	<u>Hayato Iwamoto</u>	Date	<u>August 24, 2000</u>
Residence	<u>Kanagawa, Japan</u>		
Citizenship	<u>Japan</u>		
Post Office Address	<u>c/o Sony Corporation, 7-35, Kitashinagawa 6-chome</u>		
	<u>Shinagawa-ku, Tokyo 141, Japan</u>		

Full name of third inventor

Inventor's signature		Date	
Residence			
Citizenship			
Post Office Address			



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
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NOVEMBER 15, 2000

PTAS

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BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:
HIRANO, TOMOYUKI

DOC DATE: 08/24/2000

ASSIGNEE:
IWAMOTO, HAYATO

DOC DATE: 08/24/2000

ASSIGNEE:
SONY CORPORATION
7-35, KITASHINAGAWA 6-CHOME
SHINAGAWA-KU, TOKYO 141, JAPAN

SERIAL NUMBER: 09545549
PATENT NUMBER:

FILING DATE: 04/07/2000
ISSUE DATE:

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

09-27-2000



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FORM PTO-1595

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SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please Record the attached original documents or copy them.

1. Name of conveying party(ies):

TOMOYUKI HIRANO
HAYATO IWAMOTO

Additional name(s) of conveying party(ies) attached?

 Yes No

3. Nature of conveyance:

 Assignment Merger
 Security Agreement Change of

Name

 Other _____
Execution Date August 24, 2000

2. Name and address of receiving party(ies):

Name: Sony Corporation

Internal Address: _____

Street Address: 7-35, Kitashinagawa 6-chome
Shinagawa-ku, Tokyo 141, Japan

City: _____ State: _____ Zip: _____

Additional Name(s) & Address(es) attached Yes No

4. Application (number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/545,549Attorney Docket No. 09792909-0307

B: Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

SONNENSCHEIN NATH & ROSENTHAL

P.O. Box #061080
Wacker Drive Station
Sears Tower
Chicago, IL 60606-1080

6. Total number of applications and patents involved

17. Total Fee (37 CFR 3.41 \$ 40.00 Enclosed Authorized to be charged to deposit account any Additional fees

8. Deposit Account Number:

19-3140

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David R. Metzger
Name of Person Signing

Signature

September 18, 2000

Date

Total number of pages 3

Mail documents to be recorded and required cover sheet information to:

Commissioner of Patents and Trademarks
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Washington, D.C. 20231+

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